

Message Text

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ACTION AF-18

INFO OCT-01 ADP-00 CIAE-00 DODE-00 PM-09 H-02 INR-10 L-03

NSAE-00 NSC-10 PA-03 RSC-01 PRS-01 SS-15 USIA-12 EB-11

COME-00 INT-08 TRSE-00 OMB-01 CPR-02 SY-10 RSR-01

(ADP) W

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R 231443 Z APR 73

FM AMEMBASSY TRIPOLI

TO SECSTATE WASHDC 9968

C O N F I D E N T I A L TRIPOLI 0518

E. O. 11652: GDS

TAGS: OGEN LY

SUBJ: PROTEST TO LARG RE SEARCH OF EMBASSY OFFICER

REF: TRIPOLI 0515

1. ECON OFFICER COUNTRYMAN PROTESTED APRIL 23 TO HADI AL- RUT, SENIOR AVAILABLE MEMBER OF MFA PROTOCOL, INCIDENT PRECEDING DAY IN WHICH COUNTRYMAN WAS SEARCHED LEAVING MOBIL BUILDING. THIS INCIDENT WAS OUR FIRST BRUSH WITH NEW " PEOPLE' S COMMITTEES."

2. ECON OFFICER BEGAN INTERVIEW SAYING CHARGE ASKED HIM TO MAKE STRONG VERBAL PROTEST AGAINST INFRINGEMENT OF DIPLOMATIC IMMUNITIES WHICH HAD OCCURRED APRIL 22. WHILE DEPARTING MOBIL OIL COMPANY BUILDING AND SIGNING OUT AT ENTRANCE, COUNTRYMAN HAD BEEN DETAINED BY FIVE CIVILIANS AND ONE UNIFORMED POLICEMAN AND ORDERED TO OPEN HIS BRIEFCASE. ECONOFFICER REFUSED POGITELY, NOTING DIPLOMATIC STATUS AND ASKING BY WHAT RIGHT DEMAND MADE. SPOKESMAN FOR GROUP REPEATED DEMAND TO OPEN BRIEFCASE. OFFICER AGAIN REFUSED. DISCUSSION ENSUED, WITH OFFICER CONTENDING GROUP HAD NO RIGHT TO SEARCH HIM AND SPOKESMAN INSISTING " EVERYONE" EXITING BUILDING SUBJECT
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TO SEARCH. ECONOFFICER SUBMITTED TO SEARCH OF BRIEF-CASE UNDER PROTEST AFTER ONE MEMBER OF GROUP SEATED AT TABLE ROSE IN THREATENING MANNER. UNIFORMED POLICEMAN IN ATTENDANCE ALSO INSISTED BRIEFCASE BE OPENED. BRIEFCASE OPENED AFTER OFFICER MADE CERTAIN GROUP SAW RED DIPLOMATIC ID CARD. HE ALSO ASKED FOR NAME OF RESPONSIBLE INDIVIDUAL, BUT THIS WAS REFUSED. CURSORY INSPECTION OF BRIEFCASE FOLLOWED (IT CONTAINED ONLY A CIGAR CASE AND PERSONAL MAIL) AND OFFICER DEPARTED.

3. ECON OFFICER STRESSED FOLLOWING POINTS TO AL- KURUT:

A) U. S. HAD NO DESIRE TO INVOLVE ITSELF IN OR COMMENT ON ANY SOCIAL OR ADMINISTRATIVE CHANGES WHICH MIGHT BE IN PROGRESS IN LAR BUT IT WOULD IN ANY EVENT HOLD LARG, AND PARTICULARLY MFA, RESPONSIBLE FOR SAFETY AND PROTECTION OF DIPLOMATS AND PRESERVATION OF THEIR IMMUNITIES.

B) WE WISHED THOROUGH INVESTIGATION OF INCIDENT,

C) ASSURANCES THAT SIMILAR INCIDENTS WOULD NOT OCCUR IN FUTURE, AND

D) SPECIFIC ADVISE AS TO COURSE OF ACTION SHOULD ANOTHER INCIDENT OCCUR.

4. AL- KURUT IMMEDIATELY APOLOGIZED FOR INCIDENT, PROMISED INVESTIGATION, AND SOUGHT EXCUSE SEARCH BY NOTING INDIVIDUAL RESPONSIBLE MIGHT BE UNAWARE OF DIPLOMATIC IMMUNITIES AND, INDEED BE UNABLE TO READ. HE SEEMED VISIBLY UPSET THAT UNIFORMED POLICEMAN IN ATTENDANCE HAD COUNTENANCED AND ENCOURAGED SEARCH. HE PROMISED TO REPORT BACK WITHIN THE WEEK.

5. ECON OFFICER ALSO PROTESTED INCIDENT APRIL 23 TO UNDERSECRETARY MINISTRY OF PETROLEUM MUNTASSIR WHILE LEAVING COPY OF PRESIDENT' S ENERGY MESSAGE. MUNTASSIR LISTENED WITH MIXTURE OF SURPRISE AND CONCERN. ECON OFFICER STRESSED THAT WHATEVER NEW INTERNAL SOCIAL OR ADMINISTRATIVE ARRANGEMENTS THERE WERE IN LIBYA, WE CONFIDENTIAL

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WOULD CONTINUE HOLD LIBYAN GOVERNMENT RESPONSIBLE FOR PROTECTING DIPLOMATS AND COULD NOT ACCEPT THAT ANY NEW SYSTEM WOULD INVOLVE VIOLATION OF DIPLOMATIC RIGHTS. MUNTASSIR INTERJECTED WITH SOME HEAT THAT POPULAG COMMITTEES WERE NOT SUPPOSED TO VIOLATE ANYONE' S RIGHTS-- LET ALONE DIPLOMATS'. HIS RESPONSE SEEMED TO

INDICATE HE HAD KNOWLEDGE OF LIBYAN RIGHTS BEING
VIOLATED BY POPULAR COMMITTEES AND IS ANGRY ABOUT IT.

6. OUR REPRESENTATION TO MUNTASSIR MAY HAVE BEEN MORE
EFFECTIVE THAN OUR PROTEST TO MFA AS FAR AS SITUATION
AT OIL COMPANIES CONCERNED, BUT WE DO NOT INTEND TO
LET MFA OFF THE HOOK EITHER.

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